

**REMARKS**

In the Final Office Action dated September 16, 2008, claim 16 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In the response dated November 14, 2008, claim 16 was amended. The Advisory Action dated December 10, 2008 indicated that the amendment to claim 16 was entered, overcoming the §112 (2) rejection. In addition, claims 16-30 were rejected under 35 U.S.C. §103(a) as being unpatentable over Banks et al., U.S. Patent No. 5,180,121 ("Banks").

In this supplemental response, claim 16 has again been amended. Claims 17, 18, and 25 were also amended to be consistent with amended claim 16. In addition, new claims 31-35 were added. Upon entry of the amendments, claims 16-35 will be pending in this application.

Reconsideration of the application in view of the amendments and following remarks is respectfully requested.

Rejections to Claims 16-30 under 35 U.S.C. §103(a):

Claims 16-30 were rejected under 35 U.S.C. §103(a) as being unpatentable over Banks.

Banks describes an aircraft door actuator for rapidly moving an aircraft door away from the fuselage opening to which the door is attached and more particularly to an aircraft door actuator that includes a piston assembly that functions as the hinge pin of the door assembly with which it is used (column 2, lines 14 to 21). When the actuator is triggered, the piston rod (42) urges the cam follower (46) against the cam (50) so as to cause the cam follower to rotate. The cam follower (46) in turn rotates the sleeve (44) so as to simultaneously rotate the hinge arm lug (54). The hinge is thereby pivoted away from the hinge clevis so as to urge the aircraft door open. See Abstract and column 2, lines 44 to 54. According to Banks, the hinge (24) is attached to the actuator (12) by a hinge arm lug (54), integral with the hinge. See column 4, lines 31-32.

Claim 16 has now been amended to specify that one of the two bearings in at least one of the articulated joints of the support arm is configured as a pivoting drive mounting (instead of merely

including the pivoting drive mounting as previously recited). As described in the specification, configuring one of the bearings as a pivoting drive mounting allows for a highly compact integration of the pivoting drive.

Furthermore, claim 16 has now been amended to specify that the pivoting drive is fixedly mounted to and wholly supported by the pivoting drive mounting. In addition, claim 16 was amended to clarify that an actuating movement of the pivoting drive rotates the pivoting drive element relative to the pivoting drive mounting so as to pivot the door relative to the support arm. Support for the amended claim 16 is provided in the original specification, for example, paragraphs [0011], [0012], and [0030], and Figs. 1-3.

Applicants respectfully submit that Banks does not teach or suggest at least the feature of a support arm wherein one of two bearings of the support arm is configured as a pivoting drive mounting. As shown in Applicants' specification, for example, at Figs. 1-3 bearing L1b is configured as a pivoting drive mounting 34. See also, for example, paragraph [0033]. The Examiner asserts that the Banks bearings 138 of bearing assemblies 76 correspond to the bearings of claim 16 and that the Banks hinge arm lug 54 corresponds to the pivoting drive mounting of claim 16. See Banks, Fig. 3. Applicants respectfully submit that none of the Banks bearings 138 is configured as a pivoting drive mounting. On the contrary, the Banks hinge arm lug 54 is separate from the bearings 138 and is interlocked with the outer surface 45 of sleeve 44 so that when the sleeve 44 rotates, the hinge arm lug 54 rotates together with the sleeve 44 relative to the bearings 138. Column 6, lines 48-59.

Furthermore, Applicants respectfully submit that Banks fails to teach or suggest a pivoting drive fixedly mounted to and wholly supported by the pivoting drive mounting. On the contrary, the Banks actuator 12 (deemed by the Examiner to correspond to the pivoting drive) is neither mounted to, nor wholly supported by the hinge arm lug 54 (deemed by the Examiner to correspond to the pivoting drive mounting).

Nor does Banks teach that an actuation of the pivoting drive rotates the pivoting drive element *relative to* the pivoting drive mounting. On the contrary, the Banks teaches that splined sleeve 44 (deemed to correspond to the pivoting drive element) is fixedly attached to the hinge arm lug 54 (deemed to correspond to the pivoting drive mounting) so that no relative motion between the two parts is possible. "The inside surface of the hinge arm lug 54 that defines the opening 158 is formed with lateral ridges 160 so that the lug is interlocked with the sleeve outer surface 45 *so that when the sleeve rotates, the hinge 24 will pivot . . .*" Column 6, lines 52-58. Nor does Banks teach or suggest pivoting the door relative to the support arm as recited in claim 16. Instead, the Banks actuator 12 pivots the hinge 24 (deemed to correspond to the support arm) relative to the actuator (pivoting drive) 12. It does not pivot the hinge/support arm 24 relative to the door 14 as recited in claim 16.

Withdrawal of the rejections to claims 16-30 under 35 U.S.C. §103 is respectfully requested.

New Claims 31-35:

New claims 31-35 were added. New claim 31 substantially corresponds to Claim 1 of the corresponding European patent as issued. Applicants respectfully submit that new claims 31-35 are patentable over the prior art of record.

Application No. 10/538,432  
Amendment dated February 17, 2009  
Supplemental response to September 16, 2008 Final Office Action

Docket No.: 20800/0204926-US0

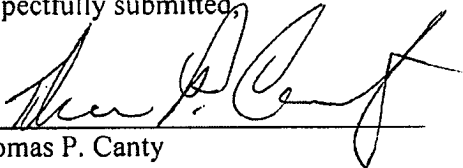
**CONCLUSION**

In view of the above amendment, applicant believes the pending application is in condition for allowance.

No additional fees are believed to be due with the filing of this response. In the event of a fee discrepancy, please charge any fees due in connection with this filing to Deposit Account No. 04-0100 referencing Docket No 20800/0204926-US0.

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Respectfully submitted,

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